



PATENT  
Docket No. 134.01930101

THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                   |   |   |                 |                 |
|-------------------|---|---|-----------------|-----------------|
| Applicant(s):     | SPARER et al.   | ) | Group Art Unit: | 1618            |
|                   |   | ) |                 |                 |
| Serial No.:       | 10/640,853  | ) | Examiner:       | James W. Rogers |
| Confirmation No.: | 9178  | ) |                 |                 |
|                   |   | ) |                 |                 |
| Filed:            | August 13, 2003   | ) |                 |                 |
|                   |   | ) |                 |                 |
| For:              | ACTIVE AGENT DELIVERY SYSTEMS, MEDICAL DEVICES, AND METHODS |   |                 |                 |

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the continuing duty of candor and good faith that is to be demonstrated before the United States Patent and Trademark Office (USPTO), enclosed herewith are copies of documents which Applicants bring to the Examiner's attention as possibly being of interest in connection with the above-identified patent application. Also enclosed for the Examiner's information is a copy of a Written Opinion for corresponding international application PCT/US03/25368. The documents cited in the Written Opinion were previously submitted on a 1449 form. Pursuant to MPEP § 609, the information cited in the present Information Disclosure Statement shall not be construed to be an admission that the information is, or is considered to be, material to patentability. Consideration of each of the documents listed on the attached 1449 forms is respectfully requested. Pursuant to the provisions of MPEP §609, Applicants further request that a copy of the 1449 forms, marked as being considered and initialed by the Examiner, be returned with the next Official Communication.

Applicants also wish to bring the Examiner's attention to any issued U.S. Patents and/or pending U.S. Applications cited in the 1449 forms submitted herewith, as well as any documents, Office Actions that may include rejections of similar claims, and any provisional U.S. patent applications referenced in the pending U.S. applications or in their file wrappers.

**Supplemental Information Disclosure Statement**

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It is believed that no fee is due, as this Supplemental Information Disclosure Statement is filed with a Request for Continued Examination. However, in the event a fee is due, please charge any fee or credit any overpayment to Deposit Account No. 13-4895.

When the Examiner takes up the present application, consideration of these documents is respectfully requested. The Examiner is invited to contact Applicants' Representatives at the below-listed telephone number, if they can be of any assistance during prosecution of the present application.

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| <p>CERTIFICATE UNDER 37 C.F.R. 1.10:</p> <p>The undersigned hereby certifies that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated below and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p>By: <u>Deb Schurmann</u></p> <p>Name: <u>Deb Schurmann</u></p> <p>"Express Mail" mailing label number:<br/>EM 063173855 US</p> <p>Date of Deposit: <u>September 14, 2007</u></p> |
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Respectfully submitted

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Sept. 14, 2007

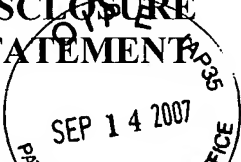
Date

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| <b>INFORMATION<br/>DISCLOSURE<br/>STATEMENT</b><br> | Atty. Docket No.: 134.01930101                                      | Serial No.: 10/640,853 |
|  | Applicant(s): SPARER et al.   | Confirmation No.: 9178 |
|  | Application Filing Date: Aug. 13, 2003                              | Group: 1618            |
|  | Information Disclosure Statement mailed: September <u>14</u> , 2007 |                        |

## U.S. PATENT DOCUMENTS

| Examiner Initial | Document Number | Date       | Name        | Class | Subclass | Filing Date If Appropriate |
|------------------|-----------------|------------|-------------|-------|----------|----------------------------|
|                  | 5,024,875       | 06/18/1991 | Hill et al. |       |          |                            |
|                  | 5,496,359       | 03/05/1996 | Davidson    |       |          |                            |
|                  | 5,702,716       | 12/30/1997 | Dunn et al. |       |          |                            |
|                  | 6,120,803       | 09/19/2000 | Wong et al. |       |          |                            |
|                  | 2005/0064005 A1 | 03/24/2005 | Dinh et al. |       |          |                            |
|                  | 2005/0064038 A1 | 03/24/2005 | Dinh et al. |       |          |                            |

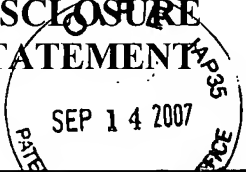
## FOREIGN PATENT DOCUMENTS

| Examiner Initial | Document Number | Date | Country | Class | Subclass | Translation |    |
|------------------|-----------------|------|---------|-------|----------|-------------|----|
|                  |                 |      |         |       |          | Yes         | No |
|                  | None            |      |         |       |          |             |    |
|                  |                 |      |         |       |          |             |    |

## OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)

| Examiner Initial | Copy Enclosed | Document Description   |
|------------------|---------------|--|
|                  | X             | ExPASy ProtParam, Results of U57609 sequence search [online]. [Retrieved on 2007-08-14]. Retrieved from the Internet:<URL:http://ca.expasy.org/cgi-bin/protparam.> 6 pgs.  |
|                  | X             | Klugherz et al., "Gene delivery from a DNA controlled-release stent in porcine coronary arteries" <i>Nature Biotechnology</i> , 2000 Nov.; 18:1181-1184.   |
|                  | X             | National Center for Biotechnology Information, National Library of Medicine, National Institutes of Health, GenBank Locus U57609, Accession No. U57609, "Cloning vector pEGFP-N3 with enhanced green fluorescent protein gene, complete sequence," [online]. Bethesda, MD [retrieved on 2007-08-14]. Retrieved from the Internet:<URL:http://www.ncbi.nlm.nih.gov/entrez/viewer.fcgi?db=nucleotide&id=1543070>; 3 pgs. |
|                  | X             | Park et al., "Assessment of PEO/PTMO multiblock copolymer/segmented polyurethane blends as coating materials for urinary catheters: in vitro bacterial adhesion and encrustation behavior" <i>Biomaterials</i> , 2002; 23:3991-4000.   |

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|--|-----------------|
| EXAMINER   | Date Considered |
| *Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |                 |

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|--|---|------------------------|
| <b>INFORMATION<br/>DISCLOSURE<br/>STATEMENT</b><br> | Atty. Docket No.: 134.01930101                                      | Serial No.: 10/640,853 |
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|  | Application Filing Date: Aug. 13, 2003                              | Group: 1618            |
|  | Information Disclosure Statement mailed: September <u>14</u> , 2007 |                        |

| Examiner Initial | Copy Enclosed | Document Description  |
|------------------|---------------|---|
|                  | X             | Ratner et al., Eds., "Biomaterials Science An Introduction to Materials in Medicine" Academic Press, San Diego, CA, 1996; title page, copyright page and pages 62-64.   |
|                  | X             | Subhaga et al., "Evaluation of an aliphatic polyurethane as a microsphere matrix for sustained theophylline delivery" <i>J. Microencapsulation</i> , 1995; 12(6):617-625.   |
|                  | X             | Yamaoka et al., "Linear type azo-containing polyurethane as drug-coating material for colon-specific delivery: its properties, degradation behavior, and utilization for drug formulation" <i>Journal of Controlled Release</i> , 2000; 66:187-197. |

## U.S. PATENT APPLICATIONS BY SERIAL NUMBER

| Examiner Initial |  | Document Number | Filing Date | Name          | Class | Subclass |
|------------------|--|-----------------|-------------|---------------|-------|----------|
|                  |  | 10/640,701      | 08/13/2003  | Sparer et al. |       |          |
|                  |  | 10/640,702      | 08/13/2003  | Lyu et al.    |       |          |
|                  |  | 10/640,713      | 08/13/2003  | Sparer et al. |       |          |
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|                  |  | 10/640,823      | 08/13/2003  | Sparer et al. |       |          |
|                  |  | 10/916,159      | 08/11/2004  | Dinh et al.   |       |          |
|                  |  | 10/916,162      | 08/11/2004  | Dinh et al.   |       |          |
|                  |  | 11/890,416      | 08/06/2007  | Sparer et al. |       |          |

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| EXAMINER   | Date Considered |
| *Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |                 |